

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 10/792,061 Confirmation No. 4209
Applicant : Scott D'Avanzo
Filed : March 2, 2004
Title : GAMING MACHINE AND METHOD OF PLAY
TC/A.U. : 3711
Examiner : Eric Thomas
Docket No. : 087635.000017
Customer No. : 29747

Mail Stop AMENDMENT
Commissioner for Patents
PO Box 1450
Alexandria, Virginia 22313-1450

NOTICE OF APPEAL

Commissioner:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the Examiner dated April 14, 2009. Applicant respectfully requests the \$255 appeal fee paid on December 3, 2007 be applied to this new appeal. This paper is accompanied by the \$15 difference between the \$255 appeal fee paid on December 3, 2007 and the increased \$270 fee currently due under 37 CFR 41.20(b)(1).

Applicant Petitions the Commissioner to extend the time for response to the Office action for three (3) months from July 14, 2009 to October 14, 2009.

The Commissioner is hereby authorized to charge \$570 for the \$15 notice of appeal fee and \$555 extension of time fee and any underpayment of fees, or credit any overpayments that may be required by this paper, to Deposit Account No. 502466.

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Respectfully submitted,

By: _____

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Date: October 14, 2009